

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TYRONE NOEL NUNN,

Case No. 2:24-cv-02343-GMN-BNW

Plaintiff

ORDER

V.

HIGH DESERT STATE PRISON, et al.,

Defendants

9 On December 16, 2024, Plaintiff Tyrone Nunn submitted a civil-rights complaint. ECF No.
10 1-1. Plaintiff neither paid the \$405 filing fee nor filed an application to proceed *in forma pauperis*
11 (“IFP”), one of which is necessary to commence a civil action.

12 Plaintiff has filed over 80 pro se lawsuits in this district since July 2023.¹ Dozens of these
13 lawsuits have been dismissed because Plaintiff failed to correct fundamental defects with them
14 like filing a single, signed complaint and either paying the filing fee or filing a complete IFP.
15 Although the Court will give Plaintiff an opportunity to file an IFP or pay the full filing fee in this
16 case, the Court is considering other case-management options for Plaintiff, including
17 recommending immediate dismissal of a case or declaring Plaintiff a vexatious litigant, if his
18 unwillingness to file the documents necessary to initiate a civil action continues. *See Ready*
19 *Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010) (holding that it is well-
20 established that district courts have the inherent power to control their docket).

21 As Plaintiff is well aware, this Court must collect filing fees from parties initiating civil
22 actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the
23 \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable
24 to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.²”
25 Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all**
26 **three** of the following documents to the Court: (1) a completed **Application to Proceed *in Forma***

28 ¹ The Court takes judicial notice of the online docket records of the U.S. Courts, which may be accessed by the public at: <https://pacer.uscourts.gov>.

1 ***Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by
2 the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s
3 approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a
4 copy of the **inmate’s prison or jail trust fund account statement for the previous six-month
5 period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. LSR 1-2. *In forma pauperis* status does not relieve
6 an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee
7 in installments. See 28 U.S.C. § 1915(b).

8 It is therefore ordered that Plaintiff has **until February 5, 2025**, to either pay the full \$405
9 filing fee or file a complete application to proceed *in forma pauperis* with all three required
10 documents: (1) a completed application with the inmate's two signatures on page 3, (2) a
11 completed financial certificate that is signed both by the inmate and the prison or jail official, and
12 (3) a copy of the inmate's trust fund account statement for the previous six-month period.

13 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
14 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
15 refile the case with the Court, under a new case number, when Plaintiff can file a complete
16 application to proceed *in forma pauperis* or pay the required filing fee.

17 The Clerk of the Court is directed to send plaintiff Tyrone Nunn the approved form
18 application to proceed *in forma pauperis* for an inmate and instructions for the same, and to retain
19 the complaint (ECF No. 1-1) but not file it at this time.

20 DATED: January 6, 2025

Brent W. Walker
UNITED STATES MAGISTRATE JUDGE